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3	Assistant Attorney General 416 W. Congress, 2nd Floor		
4	Tucson, Arizona 85701-1315 (520) 638-2801 • Fax (520) 628-605	·	
5	Jennifer.Sanders@azag.gov		
6	Attorneys for State Defendants		
7	IN THE UNITE	D STATES DISTRICT COURT	
8	FOR THE DISTRICT OF ARIZONA		
9	Patrice Edmond Brown, et al.,	Case No.:	
10	Plaintiffs,	NOTICE OF REMOVAL FROM STATE	
11	v.	COURT UNDER 28 U.S.C. § 1441(a) and 28 U.S.C. § 1446	
12	Maricopa County Attorney's	(Pima County Case No.: C20223190)	
13	Office, et al.,	(1 mm county cust 1 ton c20225 1 5 0)	
14	Defendants.		
15 16	DISTRICT OF ARIZONA		
17	Defendants, the State of Arizona, and Judges of the Superior Court Joseph		
18	Kreamer, Timothy J. Ryan, Renee T. Bennett, Gary J. Cohen, John R. Hannah, Jr., Jay		
19	R. Adleman, and Michael C. Blair (d	collectively, State Defendants), pursuant to 28 U.S.C.	
20	§§ 1441(a) and 1446, give notice of	fremoval of the state court action entitled <i>Patrice E</i> .	
	Brown v. Maricopa County Attorney's Office, et al., case No. C20223190, currently		
21 22	pending in the Superior Court of the State of Arizona, Pima County, before the		
23	Honorable Casey F. McGinley to the United State district Court for the District of		
	Arizona, and in support of removal states the following:		
24	1. On or about July 22, 2022, Plaintiffs filed this Complaint in the Pima		
25	County Superior Court, alleging claims under the U.S. Constitution or laws of the United		
26	States.		
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- 2. Under 28 U.S.C. § 1441(a), this action is removable to this Court because 28 U.S.C. § 1331 provides this Court with original jurisdiction over Plaintiffs' claims arising under the Constitution or laws of the United States. Specifically, Plaintiffs allege claims against State Defendants<sup>1</sup> for: (1) due process rights in their criminal proceedings in violation of the Fourteenth Amendment of the U.S. Constitution and Article 2 § 4 of the Arizona Constitution; and (2) due process rights in Plaintiff' subsequent habeas corpus proceedings in violation of the Fourteenth Amendment of the U.S. Constitution under 42 U.S.C. § 1983, and Article 2 § 4 of the Arizona Constitution. (Complaint filed July 22, 2022 at 4-5.)
- 3. Defendants State of Arizona, Superior Court of the State of Arizona in and for Maricopa County, Judges Joseph Kreamer, Timothy J. Ryan, John R. Hannah, Jr., Jay R. Adleman, and Michael C. Blair were served on August 16, 2022.
- 4. Defendants Superior Court of the State of Arizona in and for Pima County, Judges Renee T. Bennett and Gary J. Cohen were served on August 19, 2022. The Maricopa County Attorneys' Office, Deputy County Attorney Andrea L. Kever (Maricopa County Defendant), were served on August 16, 2022. Amanda M. Parker is no longer an employee of the Maricopa County Attorneys' Office. Ms. Parker has not been served.
- 5. Pima County Attorney's Office and Deputy County Attorney B. Noelle Jensen (collectively, Pima County Defendants) were served on August 25, 2022.
- 6. All properly-served Defendants, namely, Judges Adelman, Hannah, Kreamer, Ryan, Bennett, Cohen, and Blair, as well as Defendant Andrea L. Keaver, and B. Noelle Jensen consent to this removal under 28 U.S.C. §1446 (b)(2)(A). Counsel for Maricopa County Defendants and counsel for Pima County Defendants represented to the undersigned on August 25, 2022, that their clients have consented to removing the case to this Court.

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As of the date of this filing of the notice of removal, Judge Christopher J. O'Neil has not yet been served.

1	7.	This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b)
2	because it is	s within 30 days after receipt of a pleading, motion, order or other paper from
3	which it ma	by be ascertained that the case is one which is or has become removable, and
4	within one	year after commencement of the action and within 30 days of the last waiver
5	of service f	iled in this action. None of the Defendants have plead or answered.
6	To 1	the extent Plaintiffs' Complaint raises state law claims, this Court has
7	supplement	al jurisdiction pursuant to 28 U.S.C. § 1367(a) because the state law claims
8	form part o	f the same case or controversy as the federal question claims for which the
9	Court has o	riginal jurisdiction.
10	8.	In compliance with 28 U.S.C. § 1441(a) and pursuant to LR Civ 3.6,
11	attached as	Exhibit A is a copy of the filed documents and constitute all of the pleadings
12	and docume	ents filed in the state court action.
13	9.	Defendants have not yet pled or answered.
14	10.	A copy of this Notice is being filed with the Clerk of the Superior Court of
15		Maricopa County pursuant to LR Civ 3.
16		
17	DAT	TED this _6th_ day of September, 2022.
18		MARK BRNOVICH
19		ATTORNEY GENERAL
20		/s/ Iennifer I. Sanders
21		/s/ Jennifer J. Sanders JENNIFER J. SANDERS Assistant Attorney General
22		Attorneys for State Defendants
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1 **CERTIFICATE OF SERVICE** 2 I hereby certify that on this 6th day of September, 2022, I electronically 3 transmitted the attached document to the Clerk of Court using the CM/ECF System. 4 I hereby certify that on the same date, I caused the foregoing document to be 5 electronically transmitted to the Clerk's Office using the CM/ECF System for Filing and 6 transmittal of a Notice of Electronic Filing to the following CM/ECF registrants: 7 Angela Lane Deputy County Attorney Civil Services Division 8 225 West Madison Street 9 Phoenix, AZ 85003 lanea01@mcao.maricopa.gov 10 Attorneys for Maricopa County Defendants 11 Rebecca O'Brien Deputy Pima County Attorney 12 Pima County Attorney's Office, Civil Division 13 32 N. Stone #2100 Tucson, AZ 85701 14 Rebecca.OBrien@pcao.pima.gov Attorneys for Pima County Defendants 15 16 Honorable Casey F. McGinley Pima County Superior Court 17 110 W. Congress St. Tucson, Arizona 85701 18 This document will also be served on the same date on the following, who are not 19 registered participants of the CM/ECF System: 20 Patrice Edmond Brown, ADC #156811 21 ASPC-Eyman-Cook Unit P.O. Box 3200 22 Florence, Arizona 85132 23 Plaintiff Pro Se 24 Oliver M. Pryor, ADCRR #235926 ASPC-Eyman-Cook Unit 25 P.O. Box 3200 Florence, Arizona 85132 26 Plaintiff Pro Se 27 28

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5	Dennis A. Hipskind, ADCRR #250823 ASPC-Eyman-Cook Unit
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7	Plaintiff Pro Se
8	John W. Heinden, ADCRR #137729
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12	Richard L. Jones, Sr., ADCRR #098358 ASPC-Eyman-Cook Unit
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15	Ricky R. Evans, ADCRR #224982
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22	Ronnie H. Lynch, ADCRR #148342
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24	Florence, Arizona 85132
25	Plaintiff Pro Se
26	s/ L. Crudup
	Legal Secretary #10625993
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